



2652 TITLE IV-E ADMINISTRATIVE CLAIMING	
Chapter: Fiscal Management	Section: Child, Youth, and Family Eligibility Determinations
 <p>New Hampshire Division for Children, Youth and Families Policy Manual Policy Directive: 18-41 Effective Date: October 2018 Scheduled Review Date:</p>	<p>Approved:  Joseph E. Ribsam, Jr., DCYF Director</p>
Related Statute(s): Related Admin Rule(s): Related Federal Regulation(s): SSA 472 , and US Code Title 45 1356.60	Related Form(s): Bridges' Screen(s) and Attachment(s):

The purpose of Title IV-E as noted in SSA 470, is to enable each State to provide foster care, transitional independent living programs, and adoption assistance for children with special needs. The Title IV-E program is integral to the Division's work toward safety, permanency and well-being. Through DCYF's administration of activities under the Title IV-E program, the Division is able to charge certain administrative costs to Title IV-E to support staff. Through these staff supports we endeavor to reduce child abuse, neglect, and delinquency and promote safety for children, youth, families, and communities.

Purpose

State agencies that administer the Title IV-E program are entitled to charge certain administrative costs to the Title IV-E program. This policy defines the responsibilities of the Department as a result of the enactment of the Deficit Reduction Act of 2005 and includes the procedures to be used in the charging of administrative costs to the Title IV-E program.

Definitions

"Administration for Children and Families (ACF)" means the federal agency under the federal Department of Health and Human Services (DHHS) that oversees States and the administration of Title IV-E and Title IV-B programs.

"Administrative Cost Ratio" means the number of children placed in unlicensed foster care settings, foster care candidates, and cases that are Title IV-E eligible but are receiving Supplemental Security Income (SSI) that are added to the number of Title IV-E eligible children in the quarterly Random Moment Sample (RMS) caseload statistics for Title IV-E administrative claiming.

"Child Care Institution" means a private child care institution, or a public child care institution that accommodates no more than twenty-five children, which is licensed by the State of New Hampshire. The term does not include detention facilities, forestry camps, training schools or any other facility operated primarily for the detention of children who are determined to be delinquent.

"CPSW" or "Child Protective Service Worker" means an employee of DCYF who is authorized by the Division to perform functions of the job classification Child Protective Service Worker.

"DCYF" or the "Division" means the Department of Health and Human Services' Division for Children, Youth and Families.

"DHHS" or "Department" means the Department of Health and Human Services.

"Federal Financial Participation" or "FFP" means the percentage of costs that the federal government will pay for certain services and/or activities.

"Foster Care Candidate" means a child who is at serious risk of removal from the home as evidenced by DCYF either pursuing his/her removal from the home or making reasonable efforts to prevent such removal.

"JPPO" or "Juvenile Justice Probation and Parole Officers" means an employee of DCYF who is authorized by the Division to perform functions of the job classification Juvenile Probation and Parole Officer.

"Licensed Residential Family-Based Treatment Facility for Substance Abuse" means a treatment facility pursuant to SSA 472(j) which provides, as part of the treatment for substance abuse, parenting skills training, parent education, and individual and family counseling; under an organizational structure and treatment framework that involves understanding, recognizing, and responding to the effects of all types of trauma and in accordance with recognized principles of a trauma-informed approach and trauma-specific interventions to address the consequences of trauma and facilitate healing. A licensed residential family-based treatment facility for substance abuse is not a child care institution as defined in SSA 472(c).

"Random Moment Sample" or "RMS" means the process of contacting Child Protective Service Workers (CPSWs), Juvenile Probation and Parole Officers (JPPOs), and Fiscal Specialists at random intervals to determine the activity being performed at that specific time. The RMS method is used to apply costs across all benefiting programs for cost allocation purposes.

"Title IV-E Eligibility Percentage" means the number of children that are Title IV-E eligible divided by the number of children placed out-of-home for DCYF.

"Trial Home Visit" means a child or youth that has been in an out-of-home placement (foster care) and returned to his/her home and:

- (1) The case remains open and services may be provided to the child or youth and their family for up to six months. If a child or youth returns to out-of-home care within six months of returning home, the time the child or youth was in the home is a trial home visit. The original judicial determinations of "contrary to the welfare of the child" to remain in the home and the "reasonable efforts to prevent removal" are still valid as well as whether the child or youth would have been eligible for Aid to Families with Dependent Children (AFDC). Permanency hearings are held according to the originally required time periods as if the child or youth had never been returned home.
- (2) If a child or youth is returned home and the case remains open with services provided and the length of time the child or youth is in the home is beyond six months, and the child or youth is returned to an out-of-home placement (foster care), the re-entry into foster care is considered to be a new foster care episode. New judicial determinations for "contrary to the welfare" and "reasonable efforts to prevent removal" are all required at the time of the child or youth's subsequent return to an out-of-home placement, and a new calculation of AFDC eligibility must be done based on the information at the time of the child or youth's latest removal from the home.

- (3) If a child or youth is returned home from an out-of-home placement and the case is closed, and the child or youth later comes back into foster care, regardless of the length of time in the home, the subsequent placement out-of-home is considered a new foster care episode. New judicial determinations for "contrary to the welfare" and "reasonable efforts to prevent removal" are all required at the time of the child or youth's subsequent return to an out-of-home placement, and a new calculation of AFDC must be done based on the information in the month of the latest removal from the home.

"Unallowable Facility" means out-of-home placements that are not licensed as child care facilities, such as inpatient psychiatric facilities, secure detention facilities, etc.

Policy

- I. Title IV-E Administrative Costs for Children in Unlicensed Foster Care Settings
- A. DHHS may claim allowable administrative costs under limited circumstances for children in unlicensed foster care settings. If a child is removed from the home of a specified relative and placed into foster care in accordance with Section 472(a) of the Social Security Act (the Act), the DHHS is permitted to claim FFP for administrative costs:
1. For the lesser of 12 months or the average length of time it takes the DHHS to issue a license of the home when the child, otherwise Title IV-E eligible, is placed in the home of a relative who has an application pending for a foster family home license.
- B. Process for Claiming Title IV-E Administrative Costs for Children in Unlicensed Relative Homes.
1. Each quarter the Fiscal Unit will:
- (a) Identify all children that are placed in an unlicensed relative home;
- (b) Identify all unlicensed relative homes that have a pending foster family home application for licensure;
- (c) Document each child's eligibility for AFDC, that the "contrary to the welfare" judicial determination was obtained at the first court hearing that removed the child from their home, and "reasonable efforts to prevent removal" judicial determination obtained within 60 days of the first court hearing removing the child from the home; and
- (d) Add the number of Title IV-E eligible children in unlicensed relative homes with a pending foster family care application for licensure to the number of Title IV-E eligible children for the quarter to arrive at the administrative cost ratio.
- II. Title IV-E Administrative Costs for Title IV-E Eligible Child that Moves from an Unlicensed or Otherwise Unallowable Title IV-E Facility to a Licensed Foster Care Facility:
- A. If a child is eligible for Title IV-E, DHHS is permitted to claim FFP for allowable administrative costs for one month when:

1. Allowable administrative costs may be claimed for not more than one calendar month in which an otherwise Title IV-E eligible child is transitioning from unlicensed or unapproved facility to a licensed foster family home or child care institution.
- B. Process for Claiming Title IV-E Administrative Costs for children transitioning from an unlicensed or otherwise unallowable Title IV-E facility to a licensed foster family home or childcare institution.
 1. Each quarter the Fiscal Unit will:
 - (a) Identify otherwise Title IV-E eligible children that are transitioning from an unlicensed or otherwise unallowable Title IV-E placement to a licensed foster care placement; and
 - (b) Add the number of otherwise Title IV-E eligible children that are transitioning from an unlicensed or otherwise unallowable Title IV-E placement to a licensed foster care placement to the number of Title IV-E eligible children for the quarter to arrive at the administrative cost ratio.
- III. Title IV-E Administrative Costs for a Child who is Placed with a Parent in a Licensed Residential Family-Based Treatment Facility for Substance Abuse:
 - A. Allowable administrative costs may be claimed for up to 12 months in accordance with requirements in SSA 472(j) and 472(a)(2)(C).
 - B. Process for Claiming Title IV-E Administrative Costs for a Child who is Placed with a Parent in a Licensed Residential Family-Based Treatment Facility for Substance Abuse:
 1. Each quarter the Fiscal Unit will:
 - (a) Identify all children that are placed with a parent in a Licensed Residential Family-Based Treatment Facility for Substance Abuse;
 - (1) The facility must be licensed; however there is no requirement that the facility meet the Title IV-E licensing and background check requirements for a child care institution;
 - (b) Document each child's Title IV-E foster care eligibility requirements except the AFDC eligibility requirements in SSA 472(a)(1)(B) and (3);
 - (1) The child must be under the placement and care responsibility of DCYF while placed with the parent in the facility; and
 - (c) Add the number of Title IV-E eligible children that are placed with a parent in a Licensed Residential Family-Based Treatment Facility for Substance Abuse to the number of Title IV-E eligible children for the quarter to arrive at the administrative cost ratio.
- IV. Title IV-E Administrative Costs for a Child who is a Foster Care Candidate:

- A. If a child is a candidate for foster care in accordance with Section 472(1) for the Act and is potentially eligible for Title IV-E, DHHS is permitted to claim FFP for allowable administrative costs when:
 - 1. Reasonable efforts are being made to prevent the removal of the child from the home or, if necessary, to initiate efforts for the removal via a voluntary placement agreement or judicial determination. FFP for administrative costs listed at 45 CFR 1356.60(c) may be claimed regardless of whether the child is actually placed in foster care and becomes a recipient of Title IV-E foster care benefits; and
 - 2. DHHS has documented at least every six months that the child is at imminent risk of removal from the home. Acceptable documentation that the child is at imminent risk of removal includes the following:
 - (a) A defined case plan which clearly indicates that, absent effective preventative services, foster care is the planned arrangement for the child;
 - (b) An eligibility determination form which has been completed to establish the child's eligibility under Title IV-E that includes evidence that the child is at imminent risk of removal from the home; or
 - (c) Evidence of court proceeding in relation to the removal of the child from the home, in the form of a petition to the court, a court order or a transcript of the court's proceedings.
- B. Process for Claiming Title IV-E Administrative Costs for Foster Care Candidates determined to be at imminent risk of removal:
 - 1. Each quarter the Fiscal Unit will:
 - (a) Identify all children that are receiving paid services while remaining in their own home;
 - (b) Identify all foster care candidates that have been determined and documented to be at imminent risk of removal within the most recent six months;
 - (c) Apply each bureau, DCYF, Title IV-E eligibility percentage to the number of foster care candidates that have been determined and documented to be at imminent risk of removal, to estimate the number of foster care candidates that would be Title IV-E eligible if they were to be removed from their home; and
 - (d) Add the number of estimated Title IV-E eligible foster care candidates that have been determined and documented to be at imminent risk of removal to the number of Title IV-E eligible children for the quarter to arrive at the administrative cost ratio.
- V. The DHHS may claim allowable administrative costs for Title IV-E eligible children who receive Supplemental Security Income (SSI).

- A. The Administration for Children and Families (ACF) allows States to include children who are eligible for Title IV-E but who are receiving SSI in lieu of Title IV-E foster care maintenance payments when determining its administrative cost ratio.
- B. Process for Claiming Title IV-E Administrative Costs for Title IV-E Eligible Children who receive SSI in lieu of Title IV-E foster care maintenance payments.
 - 1. Each quarter the Fiscal Unit will:
 - (a) Identify all Title IV-E eligible children that receive SSI in lieu of Title IV-E foster care maintenance payments; and
 - (b) Add the number of children that are eligible for Title IV-E but receiving SSI in lieu of Title IV-E maintenance payments to the number of Title IV-E eligible children for the quarter to arrive at the administrative cost ratio.
- VI. All Title IV-E administrative claims must be submitted to the Administration for Children and Families within two years after the calendar quarter in which the Division as the Title IV-E agency made the expenditure.
- VII. DCYF Quarterly Caseload Statistics for Random Moment Sampling Cost Allocation Process
 - A. The DCYF quarterly caseload statistics are used as the base for DCYF Random Moment Sampling method for allocating costs to all benefiting programs. The quarterly statistics are derived from quarterly caseload statistical reports generated from NH Bridges.
 - B. The quarterly caseload statistics consist of statistics for children placed out-of-home, for children receiving services while remaining in their homes and adoptive children for each bureau. The statistics derived from the caseload statistics generated by NH Bridges consist of the Title IV-E administrative cost ratio, the number of Title IV-A Emergency Assistance eligible children, the number of Medicaid eligible children, the number of children charged to the Social Services Block Grant (SSBG), the number of children charged to Title IV-B and children that are only supported by state general funds.
 - C. The caseload statistics are entered into a matrix of CPSW, JPPO, and Fiscal Specialist direct service activities.
 - 1. The matrix contains activity codes that are mapped to the federal or state program or programs benefiting from the activity.
 - 2. This methodology assures that all children benefiting from those costs are included in the denominator for the calculation of the appropriate Case Mix Ratio or penetration rate.
 - D. Employees are selected at random to respond to the State Office RMS Administrator what service is being provided and what kind of activity is being engaged in at a randomly chosen moment.
 - E. DCYF administrative costs are allocated to benefiting federal and state programs based on the caseload statistics for each and the responses received from the CPSW, JPPO, and Fiscal Specialists in the RMS process.